

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

U.S. TRUST COMPANY, N.A., in its
capacity as Plan Administrator and Trustee of
the Arthur D. Little, Inc Employees' MDT
Retirement Plan,

Plaintiff,

v.

KARL P. FAGANS, and GARY BECK,

Defendants.

Civil Action
No. 05-CV-10013 (WGY)

**STIPULATION OF DISMISSAL WITH PREJUDICE OF CLAIMS AGAINST
DEFENDANT KARL P. FAGANS**

Pursuant to Fed. R. Civ. P. 41(a)(1), plaintiff U.S. Trust Company, N.A. ("U.S. Trust"), and defendant Karl P. Fagans ("Fagans") hereby stipulate to the dismissal with prejudice of all claims against Fagans in this matter with U.S. Trust and Fagans each to bear their own costs and attorneys' fees and to waive all rights of appeal in connection with said claims.

Nothing herein shall affect U.S. Trust's claims against defendant Gary Beck, who has not appeared in this action.

U.S. TRUST COMPANY, N.A.

KARL P. FAGANS

By its Attorneys,

By his Attorneys,

/s/ Joseph F. Hardcastle
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Dated: April 30, 2007